

AMENDED IN SENATE AUGUST 2, 2016

AMENDED IN ASSEMBLY MAY 31, 2016

AMENDED IN ASSEMBLY APRIL 11, 2016

AMENDED IN ASSEMBLY MARCH 28, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1550

Introduced by Assembly Member Gomez

January 4, 2016

An act to amend Section 39713 of the Health and Safety Code, relating to greenhouse gases.

LEGISLATIVE COUNSEL'S DIGEST

AB 1550, as amended, Gomez. Greenhouse gases: investment plan: disadvantaged communities.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation. Existing law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. Existing law requires the investment plan to allocate a minimum of 25% of the available moneys in the fund to projects that

provide benefits to disadvantaged communities, as defined, and a minimum of 10% to projects located in *those* disadvantaged communities. Existing law ~~authorizes~~ *provides that* the allocation of 10% for projects located in disadvantaged communities ~~to may~~ be used for projects included in the minimum allocation of 25% for projects that provide benefits to disadvantaged communities.

This bill would instead require the investment plan to allocate a minimum of 25% of the available moneys in the fund to projects located within, and ~~benefitting~~ *benefiting* individuals living in, disadvantaged communities, *as described*, and ~~a an additional~~ minimum of 20% to projects that benefit low-income households, ~~as specified, with a fair share of those moneys targeting households with incomes at or below 200% of the federal poverty level.~~ *households or to projects located within, and benefiting individuals living in, low-income communities, as defined.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 39713 of the Health and Safety Code is
- 2 amended to read:
- 3 39713. (a) The investment plan developed and submitted to
- 4 the Legislature pursuant to Section 39716 shall allocate a minimum
- 5 of 25 percent of the available moneys in the fund to projects located
- 6 within the boundaries of, and ~~benefitting~~ *benefiting* individuals
- 7 living in, communities described in Section 39711.
- 8 (b) (1) The investment plan shall allocate a minimum of 20
- 9 percent of the available moneys in the fund to projects that benefit
- 10 low-income ~~households.~~ *households or to projects located within*
- 11 *the boundaries of, and benefiting individuals living in, low-income*
- 12 *communities.*
- 13 ~~(1)~~
- 14 (2) For purposes of this subdivision, ~~“low-income~~ *the following*
- 15 *definitions shall apply:*
- 16 (A) “Low-income households” are those with household incomes
- 17 at or below 80 percent of the statewide median income or with
- 18 household incomes at or below the threshold designated as low
- 19 income by the Department of Housing and Community

1 Development's list of state income limits adopted pursuant to
2 Section 50093.

3 ~~(2) To the extent feasible, a fair share of the moneys allocated~~
4 ~~pursuant to this subdivision shall target households with incomes~~
5 ~~at or below 200 percent of the federal poverty level.~~

6 *(B) "Low-income communities" are census tracts with median*
7 *household incomes at or below 80 percent of the statewide median*
8 *income or with median household incomes at or below the*
9 *threshold designated as low income by the Department of Housing*
10 *and Community Development's list of state income limits adopted*
11 *pursuant to Section 50093.*

12 (c) Moneys spent pursuant to subdivision (a) shall not count
13 toward the minimum requirement described in subdivision (b),
14 and moneys spent pursuant to subdivision (b) shall not count
15 toward the minimum requirement described in subdivision (a).